

REMARKS

This is in response to the Office Action mailed on March 16, 2007, in which claims 1-5, 12, 13, and 21 were rejected under 35 U.S.C. § 102(b) as being anticipated by Mitchell et al. (U.S. Pat. No. 3,756,367); claims 6, 14, and 22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Mitchell et al. in view of Lyon et al. (U.S. Pat. No. 4,313,419); claims 11, 15, 20, and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Mitchell et al. in view of Shalev (U.S. Pat. No. 5,764,522); and claims 7-10 and 16-19 were objected to as being allowable but dependent upon a rejected base claim. With this Amendment, claim 3 is canceled, claims 1, 4, 12, and 16 are amended, and claims 24-34 are added. Claims 1, 2, and 4-34 are pending in the present application.

Claim Rejections

Claims 1-5, 12, 13, and 21 were rejected under 35 U.S.C. § 102(b) as being anticipated by Mitchell et al. In order to reject a claim under § 102(b), the reference must teach each and every limitation of the claims. MPEP 2131; *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 2 USPQ2d 1051 (Fed. Cir. 1987). With this Amendment, claim 3 is canceled, thereby rendering moot the rejection of that claim. In addition, claims 1, 4, 12, and 16 are amended, and claims 24-31 are added. Amended claim 1 recites a method of dispensing a liquid from a fluid container having an outer container and an inner container. A portion of the inner container is occupied by a liquid, and a remainder of the inner container occupied by a headspace gas. A connector is attached to the fluid container that includes a probe having a flow passage therein. The connector also includes a gas passage communicating between the interior of the inner container and an exterior of the outer container. The headspace gas is evacuated from the inner container, and pressure is supplied to the inner container via the gas passage to force liquid from the inner container through the flow passage to a manufacturing process. The limitations of canceled claim 3 have been incorporated into amended claim 1.

Amended claim 12 recites a system for dispensing liquid to a manufacturing process from a container including an outer container and an inner container, the latter of which is by the

liquid and a headspace gas. A connector that is attachable to the container includes a probe having a flow passage therein that is insertable into the inner container. The connector also includes a gas passage that communicates between the interior of the inner container and an exterior of the outer container. The headspace gas is forced out of the inner container via the gas passage to a headspace gas drain and liquid is forced out of the inner container through the flow passage in the probe to the manufacturing process.

Claim 21 recites a liquid handling system including a container having an outer container and an inner container with an interior. A portion of the inner container is occupied by the liquid, and a remainder of the inner container is occupied by a headspace gas. A connector is attachable to the container and includes a probe insertable into the inner container with a flow passage therein. The connector further includes a gas passage communicating between the interior of the inner container and an exterior of the outer container. A fluid air source is in fluid communication with a space between inner walls of the outer container and the inner container for causing fluid under pressure to flow into the space between the inner walls of the outer container and the inner container to force the headspace gas out of the inner container via the gas passage to a headspace gas drain and to force liquid out of the inner container through the flow passage in the probe to the manufacturing process.

Mitchell et al. disclose a brake bleeder 10 including a pressurizable tank 12 and a flexible, resilient bladder 13 mounted within tank 12 for holding a supply of hydraulic fluid. Tank 12 includes a circular opening 14 over which is sealably mounted a ring 15. A thumbscrew operated relief valve 31 is also mounted on the cover 24 to bleed air from bladder 13. Col. 2, lines 23-25. In order to connect the pressure chamber to a source of compressed air, a connector is threaded into the ring 15 in alignment with a passageway 35. Col. 2, lines 30-35. A pressure relief valve 37 is mounted by ring 15 and connects to the chamber within tank 12 external of the bladder 13 to prevent an excessive build-up of pressure within the brake bleeder. Col. 2, lines 35-39.

Mitchell et al. do not teach each and every limitation of claims 1, 12, and 21. In particular, Mitchell et al. do not teach or fairly suggest a connector attachable to the container that

includes the probe and a gas passage communicating between the interior of the inner container and an exterior of the outer container, as required by claims 1, 12, and 21. Rather, Mitchell et al. teach that hose 47 is attached to connector 46 at one end of bladder 13, while bleed valve 31 is disposed at the other end of bladder 13. A single connector package including the probe and the gas passage allows the interior of the inner container to come into fluid communication with both the headspace gas drain and the manufacturing process with a single connection. Page 6, lines 18-21 of the present application. Therefore, the recited elements of claims 1, 12, and 21 are not disclosed by Mitchell et al., and the rejection of claims 1, 12, and 21 under 35 U.S.C. § 102(b) should be withdrawn.

Claims 2-5 and 13 were also rejected under 35 U.S.C. §102(b) as being anticipated by Mitchell et al. Claims 2-5 depend from claim 1, and claim 13 depends from claim 12. As discussed above, claims 1 and 12 are not anticipated or otherwise taught by Mitchell et al. Therefore, claims 2-5 and 13 also are not anticipated or otherwise taught by Mitchell et al.

Claim 6, 14, and 22 were rejected under 35 U.S.C. §103(a) as being as being unpatentable over Mitchell et al. in view of Lyon et al., and claims 11, 15, 20, and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Mitchell et al. in view of Shalev. As discussed above, claims 1, 12, and 21 are in a condition for allowance. Claims 6 and 11 depend from allowable claim 1, claims 14, 15, and 20 depend from allowable claim 12, and claims 22 and 23 depend from allowable claim 21. As such, these claims are allowable with their respective independent base claims. In addition, it is respectfully submitted that the combination of features recited in claims 6, 11, 14, 15, 20, 22, and 23 are patentable on its own merits, although this does not need to be specifically addressed herein since any claim depending from a patentable independent claim is also patentable. See MPEP 2143.03, citing *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988).

New Claims

New claims 24-34 are added with this Amendment. New claim 24 is original claim 7 rewritten in independent form, and new claim 28 is original claim 16 rewritten in independent form. The Office Action indicated that claims 7 and 16 would be allowable if rewritten in independent form. Consequently, new claims 24 and 28 are allowable, and notice to that effect is respectfully

requested. In addition, new claims 25-27, which depend from allowable claim 24, and new claims 29-31, which depend from allowable claim 28, are allowable therewith.

New claim 32 recites a connector including a gas passage and a probe including a flow passage. The system in which the connector is used is adapted to evacuate headspace gas from the inner container through the gas passage and to force liquid through the flow passage to the manufacturing process. Support for new claim 32 is found in the specification at page 6, lines 18-23. Because the prior art of record does not teach or fairly suggest a connector including both a gas passage for evacuating headspace gas and a probe including a flow passage for providing liquid to a manufacturing process, claim 32 is allowable. In addition, new claims 33 and 34, which depend from allowable claim 32, are allowable therewith.

CONCLUSION

In view of the foregoing, it is believed that all claims in the present application are in condition for allowance. Reconsideration and allowance of claims 1, 2, and 4-23 are respectfully requested. In addition, consideration and allowance of new claims 24-34 are respectfully requested.

Respectfully submitted,

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